

113 East Center Street
Hyde Park, Utah

January 13, 2016

The Hyde Park City Council meeting of January 13, 2016 began at 7:00 p.m. and was conducted by Mayor Bryan Cox

City Officials Present: Mayor Bryan Cox, Council members: Mark Hurd, Bob Christensen, Bret Randall, Sharidean Flint and Charles Wheeler, Planning and Zoning members: Mark Lynne and Brandon Buck, Police Chief: Kim Hawkes, and City Recorder: Donja Wright.

Others Present: Wes Hoth, Dave Suisse, Linda Christensen, Thayne Braegger, Melissa & Easton Stokes, Kristyn Rose, Brady Johns, Melissa Vogel, Clell Bagley, Jared Headley, Kirk Headley, Nicole Hurd, Bann Matson, Lindsay Green, Dave & Stacy Seamons, O.E. Wilson, Michael Darcy, Emily Darcy, Gerald Osborne.

Prayer or Thought: Council member Hurd

Pledge of Allegiance: Council member Flint

Adoption of Agenda: Council member Wheeler moved that the Hyde Park City Council approve the agenda for the January 13, 2016 Hyde Park City Council meeting as presented. Council member Christensen seconded the motion. Council members Christensen, Randall, Flint, and Wheeler voted in favor. The motion carried 4/0

Perform Oath of Office for Council Members, assign areas of Responsibility for Council members and announce Planning & Zoning appointments. – City Recorder, Donja Wright performed the Oath of Office for Council members Bob Christensen, Bret Randall and Mark Hurd. The Mayor informed the Council of their new assignments:

Council member Flint – Planning & Zoning, Police Commission and Storm Water

Council member Hurd – Emergency Prep and City Celebration

Council member Randall – Water, Sewer and LUA

Council member Christensen – Roads and Police Commission

Council member Wheeler – Parks and Fire

The Mayor welcomed new planning and zoning commission members Brandon Buck and Cory Goettsche. The Planning and Zoning Commission is;

Planning and Zoning Commission

Name	Term Expires	Name	Term Expires
Mark Lynne	12/31/2017	Melinda Lee	12/31/2020
Brandon Buck	12/31/2018	Reed Elder	12/31/2016
David Zook	12/31/2019	Cory Goettsche	Alternate

Public Hearing - Discuss and possibly approve Ordinance 2016-01 An Ordinance amending Ordinance 7.10 of the Animal Control Ordinance. – The Mayor opened the public hearing for citizen comment. **Clell Bagley** approached the Council and informed them that he thought overall the Ordinance was good but he had a few concerns. In section 7.10.070 G, it states “Minimum lot size for large animal is 0.5 acre”. He recommended that this be revised to be more specific about what a lot size is. In section 7.10.120 Special Use it refers to a parcel and he recommended that a parcel be defined. He also questioned why a Special Use Permit was required for lots fewer than 20,000 square feet. He feels that this requirement contrasts with the formula. Mr. Bagley informed the Council that he has some concerns about the required fencing between properties in section 7.10.090 E. and the wording in section 7.10.100 Regulations Regarding Housing Animals: “All waste must be disposed of properly and not stockpiled, weather permitting”. He informed the Council that composting is done by stockpiling and this may need to be worded in a way that encourages composting. **Thayne Braegger** approached the Council and reiterated the confusion about the gate and fencing requirements between properties. The Council informed Mr. Braegger that this was only relevant to lots that needed to be combined for the purpose of meeting the minimum lot size to allow animals. The Council had some discussion about the gate and the barriers required. **Mark Lynne** approached the Council and informed them that the planning and zoning commission did not take into consideration properties that were not adjacent to each other when they constructed the fencing portion of the ordinance, and he recommended that 7.10.090 E be removed from the ordinance. **Melissa Stokes** approached the Council and asked if roosters are still allowed. The Council informed her that they were and suggested that if she has issues with neighboring roosters, it falls under the nuisance ordinance and she should work with the animal control officer. **Kristyn Rose** approached the Council and informed them that she has a child care in her home and has been working with the state for quite a while to get permission to have chickens in their yard. The State finally approved the request and then she realized that the City ordinance does not allow them to have chickens on a lot of their size. The Council informed her that she could through a special use permit. She questioned why the formula on the front was not the standard for every lot size and the Council informed her that lots under ½ acre are not large enough to provide adequate space for a large number of animals. The Council discussed the Special Use Permit and recommended that the ordinance states that it is a one-time fee. Ms. Rose expressed concern over section 7.10.140 Unauthorized Feeding of Deer, Elk or Moose. She felt that the penalty for violating this ordinance, a Class B Misdemeanor, was far too strict. The Mayor closed the public hearing. The Council had some discussion about the Class B Misdemeanor penalty and determined that the penalty in section 7.10.140 should be changed to an infraction. The Council recommended that the Animal Control Ordinance be returned to the planning and zoning commission for a few revisions and returned to City Council in a few weeks for approval. No public hearing will be required. Council member Wheeler summarized the items that the Planning and Zoning Commission will discuss and possibly revise.

1. Change .5 acres to 20,000 sq.’ throughout the ordinance.

2. Change the word parcel to lot throughout
3. Discuss 7.10.090 E - Should gate be required? Is Written Agreement Sufficient?
4. Address chickens – should they be allowed without special use
5. Change Class B Misdemeanor to infraction

Council member Wheeler made a motion to move Ordinance 2016-01 an ordinance amending Ordinance 7.10 of the animal control ordinance back to the planning and zoning commission to make amendments. Council member Flint seconded the motion. Council members Hurd, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5/0.

Discussion with Senator Lyle Hillyard: Senator Lyle Hillyard approached the Council and informed them that he was visiting with the Cities in the area and stopped by to see if the Council had any pressing concerns. Mr. Hillyard informed the Council that the number one financial issue for all Cities is roads. The good news is with the new gasoline tax, the City should see approximately a 20% increase in class “C” road funds. Mr. Hillyard informed the Council that he is not in favor of the proposed sales tax increase and Jack Draxler is working on a bill that will remove the required 40% funding for public transportation. He informed the Council that highway funds come from gas tax, education funds come from income tax and the general fund comes from sales tax. 50% of the state’s budget goes to education partly because 1/3 of the population is under 15. He questioned the Mayor about the safe routes to school grant for a sidewalk along 250 East. The Mayor informed him that the City has applied twice and been denied because it is not located on a highway. He requested that the Mayor send the grant request to him directly and he will see what he can do with it. The Council and Senator Hillyard had discussions about Valley View highway, the constant increase in college tuition and how to encourage college’s to start thinking outside the box. The Mayor informed Senator Hillyard that the Cities in Cache valley are opposed to being required to have a water conservancy district. Senator Hillyard informed the Council that there are 29 senators in the senate, if the representatives of Salt Lake City combine with the representatives from Weber, Davis or Utah County, they make a majority. The representatives from Cache County do not have enough votes to change this. To fit the required mold, and prevent loss of water in Cache Valley, the County may need to create a water conservancy district. He will be meeting with the Mayors association on Saturday night and will be discussing the judicial Courts and the Water Conservation District conversation in greater detail. .

Departments

Parks: Council member Wheeler informed the Council that he has been in contact with Lance from Cache Landmark. Lance will be ready to present the interlocal agreement concerning the new school sometime towards the end of February. .

Storm Water: Council member Flint informed the Council that she and Mike Grunig will be meeting with attorney James Swink to discuss some of the canal issues. She requested a meeting with the mayor before that time to make sure all the issues will be addressed.

Sewer: Council member Randall informed the Council that the rate committee met and sent out an RFP for bid for the opportunity to perform a study to determine what the new sewer rate will be,

Roads: Council member Christensen informed the Council that he has had some concerns about nothing being done on proceeding with 3100 north development. He met with Lance from Cache Landmark and Lance committed to doing an appraisal on some property along 3100 north and sending out some bid letters to the owners of the property by February 10th.

Admin: The Mayor informed the Council that there was a backup on the sewer line that affected two homes on 450 north. He requested that all the bills associated with the leak be paid by the City and the City set up a meeting with Edge to discuss the possibility of their involvement in the backup.

Council member Christensen made a motion to move to an executive session to approve minutes from Dec 9th and discuss real property. Council member Flint seconded the motion. Council members Hurd, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5/0.

Adjourn: 9:50

Donja Wright – City Recorder

Council member Christensen made a motion to approve the minutes from January 13, 2016. Council member Hurd seconded the motion. Council members Hurd, Christensen, Flint and Wheeler voted in favor. The motion carried 4/0.